



Arizona State Courts Building
1501 West Washington
Phoenix, Arizona

Friday, October 29, 2021

MEETING MINUTES

Present: Mike Hellon, Chair, William Auther, Vice-Chair, Frederick (Fritz) Aspey, Maria Aviles, David Byrne, Doug Cole, Terry Crites, Hon. Dean Fink, Ashley Herrington, Maria Hoffman, Robert Irish, George A. Kennedy, Hon. Danelle Liwski, Timothy Mace, Jane Oh, Janet Regner, Elizabeth Rueter, Gioia Sanderson, Francine Sharp, Hon. Dan Slayton, William Tanner, Henry Varga, Hon. Garye Vasquez, Heath Vescovi-Chiordi, Lina Wallen, Hon. Randall Warner, Hon. David Weinzweig, Hon. David White, Kevin Yeanoplos and Stephen Zachary.

Absent: Eric Hammons, Laura Eng, Barbara LaBranche, and Stephen Portell

Staff: Sheryll Prokop and Emma Morgan

CALL TO ORDER

Mike Hellon, Chair, called the meeting to order at 9:31 a.m.

APPROVAL OF MINUTES

Chair Hellon asked if any Commissioner wished to submit changes or additions to the draft minutes of the April 16, 2021, meeting. **It was moved that the minutes be approved as submitted. The motion was seconded and passed unanimously.**

STAFF REPORT:

Chair Hellon asked program staff, Sheryll Prokop, to give the staff report. Sheryll reported that survey distributions for the 2021-2022 evaluation cycle concluded in June for Maricopa and Pima County Superior Courts, in July for Pinal County Superior Court, and that survey distributions for Coconino County Superior Court would conclude on October 29, 2021. She further reported that survey distributions for the group of judges appointed in July through November 2020 would conclude on November 30, 2021. Sheryll also reported that data report binders would be distributed to Commission members during the week of February 11, 2022. She also announced that the

Commission Chair, Mike Hellon, will hold a training on how to read and interpret the data reports on February 18, 2022, at 9:00 a.m. via Zoom.

Sheryll also informed the Commission members that recruitment for conference team members will begin in November and that program staff will be reaching out to Commission members seeking volunteers to serve. Given that new Commission members had questions about conference teams and the self-evaluation component of JPR, the Commission Chair advised that he would include an overview of conference teams, including the work of conference teams as it relates to the self-improvement component of JPR at the Zoom training on February 18, 2022.

SPEAKER'S BUREAU UPDATE:

Chair Hellon introduced Robert Irish, Chair of the JPR Speaker's Bureau, and asked him to provide an update on the activities of the Speaker's Bureau. Mr. Irish informed the Commission members of the goals of the Speaker's Bureau which include developing program materials and training aids for speakers who volunteer to represent JPR in different venues. He explained that the materials and training aids would include two PowerPoint Presentations: a 15-minute presentation and a 30-minute presentation with speaker notes for each presentation, as well as handouts which explain merit selection and JPR for members of the public, and a more extensive educational document that provides a more in-depth overview of merit selection, retention election, and the work of the JPR Commission for the speakers.

Mr. Irish further explained that he worked with program staff and the Court's Public Information Officer to develop an outline of the content for the presentations and materials, and engaged the services of Rick DeBruhl, a network television broadcaster with 31-years of experience in the media management and communication industry. As part of his services, Mr. DeBruhl provided two educational PowToon videos, two PowerPoints (a 15-minute presentation and a 30-minute presentation), along with speaker's notes for each presentation, handouts for the public, and an educational document for speakers.

Mr. Irish also informed the Commission members that a Speaker's Bureau meeting was held in October, and at that meeting Mr. DeBruhl demonstrated the 30-minute presentation and conducted a speaker's coaching session for the members in attendance. Mr. Irish noted that the presentation and the coaching session were recorded, and that the recordings, along with all the materials are available on a SharePoint site, and that the next steps for the Speaker's Bureau will be to identify groups and coordinate speaker for the various groups.

William Auther, Vice-Chair of the Commission and Vice-Chair of the Speaker's Bureau noted that he was pleased with the materials as well as the presentation, and that all speaking engagements should be coordinated through the JPR Program Office. He informed the Commission members about the electronic form on the JPR website for the public to request a speaker.

Chair Hellon encouraged Commission members who wished to participate in the Speaker's Bureau to notify program staff so their name can be added to the Speaker's Bureau Roster.

SURVEY DISTRIBUTIONS AND DATA REPORTS:

When Should Juror Survey Distributions Begin for Newly Appointed Superior Court Judges?

Chair Hellon reminded the Commission members that at the January 8, 2021 meeting, the Commission decided that juror surveys would be distributed year-round for judges on a trial calendars and that the Commission had previously decided that newly appointed judges should serve at least six months on the bench before being subject to survey distributions, but the Commission did not address when juror survey distributions should begin for newly appointed judges.

After discussion, upon motion duly made, seconded and carried, it was decided that juror survey distributions for newly appointed judges assigned to jury trial calendars would begin as soon as their first jury trial takes place.

Should the Mid-Term Evaluation Reports for the Previous Cycle be Included in the Data on Which Appellate Judges are Evaluated?

Chair Hellon advised the Commission members that at the January 8, 2021 meeting, the Commission decided to include the mid-term evaluation reports for the previous cycle with the retention evaluation reports for the current cycle to be the data on which superior court judges are to be evaluated, and that the Commission needs to decide whether the previous mid-term evaluation reports should be included with the current retention evaluation reports on which appellate court judges are to be evaluated.

After discussion, upon motion duly made, seconded and carried, it was decided that the mid-term evaluation reports for the previous cycle will be combined with the current retention evaluation reports, and the combined data will be the data on which appellate judges will be evaluated.

Chair Hellon then asked the Commission to decide whether the threshold standard should be applied to the current retention evaluation reports or to the combined mid-term and retention report data.

After discussion, upon motion duly made, seconded, and carried, it was decided that the formal threshold standard will be applied to the combined data, consisting of the mid-term data and the retention data.

WEIGHTING SURVEY RESPONSES FOR RURAL COUNTIES:

Chair Hellon advised that there was a question raised as to whether it would be possible and appropriate for the smaller counties to weight survey responses due to smaller data results in smaller counties as well as due to the unique differences between urban and rural courts. He advised that Judge Dan Slayton and Dr. Terry Crites have been researching weighting survey responses to increase the survey data as well as the accuracy of the data for rural courts, and asked Judge Slayton and Dr. Crites to provide the Commission members with an update on their findings.

Dr. Crites advised that after consulting with the Dr. Jian Sun, Assistant Director of the Docking Institute, the data center that currently administers the surveys and compiles the data, it was determined that because of the confidential nature of the surveys and because the surveys are not marked with any identifiers, the current system would require an overhaul which would be very expensive and may not be useful. Judge Slayton agreed with Dr. Crites' statements, and added the extensive work involved in trying to weight the surveys, which would require having to develop a whole new system, mitigants against the value weighting the responses would have; and that while it is not possible at this time, it may be something that can be reviewed and discussed in the future.

SHOULD COMMISSION MEETING MINUTES BE POSTED ON THE JPR WEBSITE?

Chair Hellon stated that a question has risen as to whether the Commission meeting minutes should be posted to the JPR website.

After discussion, upon motion duly made, seconded and carried, it was decided that the minutes of the Commission meeting would be posted to the JPR website.

NEXT MEETING DATE/MEETING LOCATION

February 25, 2022 at 9:30 a.m.
Conference Room 345A/B
Arizona State Courts Building
1501 W. Washington St., Phoenix, AZ

CALL TO THE PUBLIC

Chair Hellon then called for comment from the public. No comment from the public. Chair Hellon announced that the Public Hearing will be held following the adjournment of the meeting.

ADJOURNMENT

At 10:33 a.m., it was moved that the meeting be adjourned. The motion was seconded and passed unanimously.